IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3479 OF 2007
IN
SUIT NO.173 OF 1986

Prabhakar Laxmanrao Adsule ...Plaintiff

V/s.

Kamlakar Narayan Samant ...Defendant

And

The Municipal Commissioner & Ors. ...Respondents

.....

Mr.Sanjay Jain with Mr.R.C.Tolat i/b M/s.L.C.Tolat & Co. for Plaintiff.

Mr.R.Y.Sirsikar for Respondents.

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CORAM: A.M.KHANWILKAR, J.

OCTOBER 31, 2007.

P.C.

1. As Counsel for the Respondents assures that necessary particulars of the information will be furnished to the Plaintiff with the copies of the documents in respect of any application/proposal for development of the suit land received or pending, within four weeks from

today, no further order is necessary in this Motion.

2. Counsel for the Plaintiff submits that on accepting the assurance given on behalf of the Respondent Corporation, the Plaintiff will not pursue relief in terms of prayer clause (a) for the time being and the Plaintiff be granted liberty to take recourse to such other remedy as may be permissible by law including to renew the prayer clause (a) by filing formal application if and when occasion arises.

3. Accordingly, this Notice of Motion is disposed of on the above terms with liberty to the Plaintiff to file fresh Notice of Motion for prayer clause (a), if and when occasion arises.

A.M.KHANWILKAR, J.